

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

2009 MAR -4 AM 11:44

CLERK *M. Daniels*  
SO. DIST. OF GA.

HENRY ERIC JOHNSON,

Plaintiff,

v.

SPENCER LAWTON, JR. et al.,

Defendants.

CASE NO. CV408-262

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 3), to which objections have been filed (Doc. 5). After a careful de novo review, the Court concurs with the Magistrate Judge's Report and Recommendation.<sup>1</sup> Accordingly, the Report and Recommendation is **ADOPTED** as the Opinion of this Court. This case is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 4<sup>th</sup> day of March, 2009.

*William T. Moore, Jr.*  
WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

<sup>1</sup> Without passing on the validity of Plaintiff's claim of imminent danger, the Court notes that Plaintiff's contention is wholly undercut by his request for monetary damages only. (Doc. 1 at 14.) This suit does not seek a release from prison, which is the only remedy that would save Plaintiff from the imminent danger he alleges.